

# NEVADA Connections

*Bringing Resources to Nevada's Adult Education Community*

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## Guiding Principles

By Mary Katherine Moen, State Director of Adult Education, [mkmoen@doe.nv.gov](mailto:mkmoen@doe.nv.gov), 775/687-9167

**Excellence — We are committed to a quality adult education system that promotes continuous improvement and is held accountable for performance results.**

—Nevada Adult Basic Education Directors, 2004

This statement is one of five principles that guides Nevada's Adult Basic Education system. In the pursuit of excellence, Nevada has implemented key components that enable the system to continually improve and be accountable.



Structures are in place to promote continuous improvement:

- Quality Indicators are in their final stage of development and will be implemented as components of program monitoring.
- Content Standards based on CASAS competencies have been developed for all ESL levels with implementation to begin during the 2006-2007 academic year. Content standards for Adult Basic Skills instruction will be developed in 2005-2006.

Tools are available to track performance:

- State Performance Measures are negotiated annually with the US Department of Education; Nevada's federally funded programs then negotiate their own performance measures with the State office.
- CASAS (assesses and evaluates student performance) and TOPSpro (tracks and reports information) are implemented statewide, allowing the State office and individual programs to monitor student progress on an ongoing basis.
- A performance-based funding formula is being developed and will be implemented in 2006-2007.

Undoubtedly the most important indicator of a quality adult education system is whether and how its students learn. In addition to curriculum appropriate to students' needs and vibrant teaching techniques, a system of excellence must possess concern for the individual student. All personnel must address students with dignity and caring.

A Native American proverb from the Dakota people states: "We will be known forever by the tracks we leave." Through continuous improvement and exemplary practices, Nevada's Adult Basic Education system will surely leave tracks of excellence — visible as performance outcomes — throughout the state.

## Veteran instructors pilot peer mentoring program



Kudos to the twelve seasoned instructors trained as mentors in 2004-2005. Most had an opportunity to share their expertise with less experienced teachers; all helped fine-tune Nevada's ABE mentoring program for statewide implementation in 2005-2006. Thanks to Gilbert Gamboa, Tom Luscher, Noreen Tabb-Martin, and Pam Woicicki (CCSN); Aida Hashemi, Carmen Hirsch, Paula Kizis, and Val Lyons-Brady (TMCC); Bodie Coates, Judy Kelly, Gail Struble, and Geraldine Thomson (WNCC).

*Standing from left: Judy Kelly, Bodie Coates, Aida Hashemi, Noreen Tabb-Martin, Gilbert Gamboa. Seated: Geraldine Thomson and Pam Woicicki.*

# ON FAIR USE

by Stephen Grainer, *Progress* (Virginia's adult education newsletter), Winter 2005

Copyright is a hot topic these days. Artists and companies decry the unauthorized distribution of their copyrighted materials, while others grow tired of the "old-fashioned" school of thought about how created works are owned and acquired. To top it all, the rapid adoption of technology and the

Internet seems only to exacerbate the problem. Because education relies on copyrighted materials of many types, a solid understanding of copyright and fair use laws is vital to today's educator.

Type of Media	How much can you use?
Poetry	The entire poem if it is less than 250 words; otherwise, no more than 250 words
An article, story, or essay	The entire piece if less than 2,500 words; otherwise, an excerpt of 1,000 words or 10% of the piece, whichever is less
Chart, graph, illustration, or photo	Only one per book or periodical issue
Books	No more than a single chapter

## Copyright: a basic primer

Copyright exists to protect creators' rights to their work, whether that work is literary, musical, visual, or intellectual. Ownership of the copyright in a work secures five basic rights including: the **right to reproduce** that work, the **right to produce derivative works**, the **right to distribute** that work, the **right to publicly display** that work, and the **right to publicly perform** that work (in the case of dramatic, musical, or other performance-based work).

Copyright protection is granted automatically to an artist the moment a work is created; registration is not required for a work to be protected. In cases where a work is produced by an employee in the course of employment or by commission, the employer owns the copyright. The copyright of a work is valid for the life of the artist plus an additional 70 years, or for 95 years after the publication of a work in the case of "work made for hire."

## Fair use and you

So if an artist, writer, or researcher reserves these rights to a work for such a long time, how can an educator possibly use these materials without paying exorbitant fees? Well, copyright law allows for **fair use: limited use of copyrighted works for commentary and criticism**. Fair use exists so that educators and others can comment on copyrighted work. How do you know if your use of a work falls under fair use guidelines? There are several factors to consider.

- **The purpose and character of your use:** Does your use of the work help create something new, or are you merely reusing it? Most educational use qualifies as a discussion of the work.
- **The nature of the copyrighted work:** Factual works are more viable for fair use than fictional works, because facts themselves aren't copyrightable, and their circulation benefits society.
- **The amount and substantiality of the portion taken:** The less you use, the safer you are.
- **The effect of your use upon the potential market:** If your use of a work will affect the marketability of that work adversely, it is less likely to be considered fair use.

In addition to the above guidelines for fair use, which apply to anyone, there are further guidelines specific to educational uses.

These guidelines allow educators to copy portions (see table above) of a published work for use in the classroom provided that the number of copies is no more than the number of students, that students aren't charged any more than the cost of making the copies, and that the copies aren't meant to replace textbooks in the course.

Materials specifically created for educational purposes such as textbooks, standardized tests, and workbooks may not be copied unless permission is explicitly given from the publisher. The decision to copy should be made by the teacher (not administrators) and should be spontaneous — that is, if copying is planned well ahead of time, the teacher should instead seek permission from the publisher. Permission should also be obtained before using the same copied work from one class term to another.

Finally, the teacher should make copies only nine times per class term and should only include one short piece from a single author or three pieces from a single compilation or periodical.

For more information on copyright and fair use, I highly recommend visiting [www.copyright.gov](http://www.copyright.gov) and <http://fairuse.stanford.edu>.

## **Services offered through Nevada's Adult Basic Education leadership funds**

Each year, a portion of the federal funding for ABE/ESL programs is targeted for "leadership activities." The support services provided through these funds are geared to the needs of the federally funded programs, however they are available to all adult educators in Nevada wherever resources permit. Below is a list of key activities planned for 2005-2006.

### **Key contacts**

<b>CBD</b>	Claudia Bianca-DeBay	(775) 824-8604	<a href="mailto:cdebay@tmcc.edu">cdebay@tmcc.edu</a>
<b>PF</b>	Peggy Fuller	(702) 313-8810	<a href="mailto:girafix@cox.net">girafix@cox.net</a>
<b>VN</b>	Vicki Newell	(775) 356-1007	<a href="mailto:director@nnlc.org">director@nnlc.org</a>
<b>SG</b>	Susan Graf	(775) 684-3340	<a href="mailto:sgraf@clan.lib.nv.us">sgraf@clan.lib.nv.us</a>
<b>SY</b>	Sharyn Yanoshak	(702) 253-6280	<a href="mailto:saylv@cox.net">saylv@cox.net</a>
<b>KZ</b>	Ken Zutter	(775) 687-9236	<a href="mailto:kzutter@doe.nv.gov">kzutter@doe.nv.gov</a>

### **Staff development and training**

- Professional development workshops for instructors and tutors, on-site at each federally funded program. (PF)
- Pre-service training for educators new to teaching adults. (SY)
- Assessment and reporting: CASAS (CBD); TOPSpro (KZ)
- Management training for funded program directors. (SY)
- Personalized technical assistance for using computers to administrative staff, teachers, and tutors. (KZ)

### **Communications**

- *Nevada Connections* newsletter. (SY)
- *ABE Administrator's Handbook*. (SY)
- Representative to LINCS, Nevada listserv facilitator, and gateway to ABE Web site for Nevada. (SY)

### **Recognition**

- ABE Certificate of Performance for ABE instructors and tutors. (SY)

### **Resources**

- Development of standards for NV adult education ABE and ESL programs. (CBD)
- Program assistance with aligning NV Standards to established instructional resources. (CBD)
- State Literacy Resource Center [SLRC] (SG)

### **Special projects**

- Nevada Statewide 18-24 Year Old Credential Initiative — Give Yourself the Edge! (VN)
- Special funding for special projects and training. (SY)
- Special funding for online professional development courses for instructors and tutors. (SY)
- Teacher mentoring project. (SY)

### **Support and technical assistance**

- Data collection and reporting with CASAS and TOPSpro. (KZ)
- CASAS/TOPSpro Implementation training. (CBD)
- Community collaboratives. (VN)

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## Nevada expertise on call

In addition to the activities funded through leadership funds (see page 3),  
 the following experienced Nevadans have been trained and qualify as experts in their fields.

Area	Experts	Phone	E-mail
<b>State Data Specialist</b>	Carson City: Ken Zutter	(775) 687-9236	<a href="mailto:kzutter@doe.nv.gov">kzutter@doe.nv.gov</a>
<b>CASAS State Level Certified Trainers</b>	Carson City: Diana Stater Reno: Claudia Bianca-DeBay Reno: Paul Marsala	(775) 824-8604 (775) 824-8604 (775) 824-3818	<a href="mailto:dstater@tmcc.edu">dstater@tmcc.edu</a> <a href="mailto:cdebay@tmcc.edu">cdebay@tmcc.edu</a> <a href="mailto:pmarsala@tmcc.edu">pmarsala@tmcc.edu</a>
<b>TOPSpro State Level Certified Trainer</b>	Las Vegas: Dimi Jefferis	(702) 651-4067	<a href="mailto:dimi_jefferis@ccsn.nevada.edu">dimi_jefferis@ccsn.nevada.edu</a>
<b>Bridges To Practice (Learning Disabilities) Team</b>	Carson City: Marta Hall	(775) 887-3237	<a href="mailto:mhall@doe.nv.gov">mhall@doe.nv.gov</a>
	Las Vegas: Lyn Pizor	(702) 434-6858	<a href="mailto:lyn@churchwright.org">lyn@churchwright.org</a>
	Reno: Claudia Bianca-DeBay	(775) 824-8604	<a href="mailto:cdebay@tmcc.edu">cdebay@tmcc.edu</a>
	Reno: Dee Dee Bossart	(775) 356-1007	<a href="mailto:deedee@nnlc.org">deedee@nnlc.org</a>
<b>Learning Disabilities (Overall)</b>	Las Vegas: Lyn Pizor	(702) 434-6858	<a href="mailto:lyn@churchwright.org">lyn@churchwright.org</a>
	Reno: Dee Dee Bossart	(775) 356-1007	<a href="mailto:deedee@nnlc.org">deedee@nnlc.org</a>
<b>ESL Capacity-Building Team</b>	Elko: Meachell LaSalle	(775) 753-2109	<a href="mailto:meachell@gbcnv.edu">meachell@gbcnv.edu</a>
	Las Vegas: Judy Marks	(702) 255-3234	<a href="mailto:jumar50@cox.net">jumar50@cox.net</a>
	Las Vegas: Sharyn Yanoshak	(702) 253-6280	<a href="mailto:saylv@cox.net">saylv@cox.net</a>
	Reno: Claudia Bianca-DeBay	(775) 824-8604	<a href="mailto:cdebay@tmcc.edu">cdebay@tmcc.edu</a>
<b>GED</b>	Reno: Val Lyons-Brady	(775) 575-6822	<a href="mailto:valbrady@hdiss.net">valbrady@hdiss.net</a>